

REGULAR MEETING of the Burrillville Town Council held Wednesday, March 26, 2014 at 7:00 P.M. in Council Chambers, Town Building, 105 Harrisville Main St., Harrisville for and within the Town of Burrillville.

PRESENT: Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson

MEMBERS ABSENT: None

1. Council President Nancy F. Binns led those present in pledging allegiance to the flag.

2. VOTED to accept the minutes of the regular meeting held March 12, 2014 and dispense with the reading of said minutes.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Stephen N. Rawson. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

3. Public Comment: None

4. General Good and Welfare of the Town of Burrillville

Council President Nancy F. Binns announced the return of the Lego Club to the Pascoag Public Library beginning Saturday, April 5, 2014.

5. Special Business:

14-067 VOTED to grant to the Nasonville Volunteer Fire Department a victualing license for the Spring & Fall Chowder and Clam Cake Dinners to be held on April 27, 2014 and September 7, 2014; and for a Class F liquor license for the Chowder & Clam Cake Dinner to be held on April 27, 2014; at 2577 Victory Highway (Map 114, Lot 32) on property owned by the Nasonville Fire District.

Motion by Councilor Wallace F. Lees. Seconded by Councilor John F. Pacheco. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

6. Petitions: None

7. Unfinished Business:

13-210 Consideration and action RIDE – School 5-year Capital Infrastructure Funding Plan.

VOTED to open discussion of a transfer \$135,430 (\$80,000 in residual

funds from the feasibility study and \$55,430 in residual funds from the FY2014 High School Roofs A & B project) in the School 5-year Capital Infrastructure Funding Plan adopted December 11, 2013 to professional services for the projects specified in the feasibility study for FY2015; subject to reconciliation with the finance department.

Motion by Councilor David J. Place. Seconded by Councilor John F. Pacheco. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

Discussion: There was clarification that the municipal finance department must reconcile the amounts of residual funds before the transfer could be completed.

VOTED to transfer \$135,430 (\$80,000 in residual funds from the feasibility study and \$55,430 in residual funds from the FY2014 High School Roofs A & B project) in the School 5-year Capital Infrastructure Funding Plan adopted December 11, 2013 to professional services for the projects specified in the feasibility study for FY2015; subject to reconciliation with the finance department.

Motion by Councilor David J. Place. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees,

Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

VOTED to fund an additional amount of \$69,999 for the School Department FY2015 roofing projects, with funding to come from Debt Reduction Fund.

Motion by Councilor David J. Place. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

8. Public Hearing:

14-068 Capital Improvement Program for fiscal year ending June 30, 2015.

Proposed Capital Improvement Project Budget

Municipal – Departmental \$394,720

Infrastructure 1,434,500

School Department 927,240

Major Capital Reserve Fund 1,170,780

Wastewater Treatment 0

Miscellaneous - Town Clerk Recreation 41,500

TOTAL Capital Improvements Program Requests 3,968,740

Proposed Capital Improvement Funding

TransCanada /OSP-Tax Levy \$2,800,000

Debt Reduction Fund 527,240

Grants 100,000

RICW Bridge Loan 500,000

Restricted Funds [Town Clerk] 41,500

Wastewater Treatment 0

Property Taxes (Net Amount Required to Fund All Projects) 0

TOTAL Funding Sources 3,968,740

NOTE: The above was duly advertised in the Local Section of the Woonsocket Call on Friday, March 21, 2014.

A. Recommendations from the Budget Board:

- a) Capital Improvement Program for Fiscal Year Ending June 30, 2015**
- b) Capital Improvement Program – Five (5) Year Plan**

Arthur R. Hurley, Chairman, Burrillville Budget Board, commented on appropriate use of CIP funds and cautioned against use of CIP funds for regularly recurring expenses. Mr. Hurley indicated that the Budget Board and the Town Manager were in agreement with only slight differences in the CIP budget proposals. Mr. Hurley responded to questions.

B. Recommendations from Michael C. Wood, Town Manager:

- a) Capital Improvement Program for Fiscal Year Ending June 30, 2015**
- b) Capital Improvement Program – Five (5) Year Plan**

Michael C. Wood, Town Manager, recognized the Budget Board's work on the CIP budget. Mr. Wood reviewed his proposal. A copy of Mr. Wood's proposed CIP budget and report are on file with the record of the meeting.

There was discussion of the CIP budget proposal detail. Colonel Stephen J. Lynch, Chief of Police and Jeffrey M. McCormick, Director of Public Works and Engineering Services, reviewed their department budgets and responded to questions. Dr. Frank Pallotta, Superintendent of Schools, distributed an update of the School Department CIP budget request. Details were reviewed and discussed.

C. Proponents:

Margaret L. Dudley, Mill Pond Road, Harrisville commended the Town Manager and Budget Board. Ms. Dudley noted that the Budget Board did not recommend funding a generator for the Jesse M. Smith Memorial Library. As a member of the Library Board of Trustees, Ms. Dudley acknowledged that the item might be delayed but explained her view of the necessity of a generator for the building.

D. Opponents: None

E. VOTED to close the public hearing.

Motion by Councilor David J. Place. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

F. Town Council Members Comments/Input/Deliberation

VOTED to recess to allow the administration to confer with the School Department.

Motion by Councilor Kimberly Brissette Brown. Seconded by Councilor David J. Place. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

G. Consider and act on a motion to adopt a resolution adopting the Capital Improvement Program for fiscal year ending June 30, 2015.

MOTION to adopt by resolution the Capital Improvement Program for fiscal year ending June 30, 2015.

The total appropriation is \$3,968,740.

Included in the total amount to be adopted is an amount of \$897,482. As it relates to the School Department project budget in the amount

of \$1,200,538 that each project and its estimated cost needs to be itemized and if not approved by the State through the RIDE (Rhode Island Department of Education) program it will not be released for use to the School Department in FY2015.

The Capital Budget as presented is adopted and shall be included in its entirety in the annual budget for Fiscal Year Beginning July 1, 2014. The Town may encumber funds against these accounts prior to July 1st. This will allow the Town to enter into contracts prior to the effective date of July 1, 2014.

Motion by Councilor Kimberly Brissette Brown. Seconded by Councilor Wallace F. Lees.

Council President Nancy F. Binns read the CIP Project, as proposed in the motion, as follows:

Capital Improvement Project Budget

Municipal – Departmental \$394,720

Infrastructure 1,434,500

School Department 1,200,538

Major Capital Reserve Fund 897,482

Wastewater Treatment 0

Miscellaneous - Town Clerk Recreation 41,500

TOTAL Capital Improvements Program Requests 3,968,740

The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

H. VOTED to table to the next meeting consideration and action on a motion to adopt, as amended by the above, the RIDE – School 5-Year Capital Infrastructure Funding Plan originally adopted on October 9, 2013 and previously amended on November 13, 2013.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

9. New Business:

14-069 VOTED to grant the request from the Armenian National Committee of Rhode Island that the Armenian flag be flown over the town building on April 24, 2014.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F.

Pacheco III, David J. Place and Stephen N. Rawson.

14-070 Correspondence from Councilor Wallace F. Lees, Chairman, Screening Subcommittee, regarding the Subcommittee's recommendations.

VOTED to reappoint Kevin Cleary as a member of the Conservation Commission to serve a three-year term to expire March 31, 2017.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

VOTED to reappoint Royal Laurent as a member of the Redevelopment Agency to serve a five-year term to expire March 31, 2019.

Motion by Councilor David J. Place. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

VOTED to reappoint James Langlois as a member of the Redevelopment Agency to serve a five-year term to expire March 31,

2019.

Motion by Councilor Wallace F. Lees. Seconded by Councilor David J. Place. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

VOTED to reappoint Mark Thompson as an alternate member of the Redevelopment Agency to serve a two-year term to expire March 31, 2016.

Motion by Councilor Wallace F. Lees. Seconded by Councilor David J. Place. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

VOTED to reappoint Gabrielle Abbate as a member of the Juvenile Hearing Board to serve a three-year term to expire January 31, 2017.

Motion by Councilor Wallace F. Lees. Seconded by Councilor David J. Place. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

14-071 VOTED to refer the application of Jeremy Page to the Screening Subcommittee for recommendation.

Motion by Councilor Wallace F. Lees. Seconded by Councilor David J. Place. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

14-072 Correspondence from Council President Nancy F. Binns regarding the joint meeting with the Sewer Commission scheduled for Wednesday, April 2, 2014.

VOTED to approve the scheduling.

Motion by Councilor David J. Place. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

Legislation

14-073 Consider and act on legislation pending before the General Assembly, as follows:

A. 2014 – S 2106, An Act Relating to Labor Relations – Municipal Employees' Arbitration – Obligation to Bargain.

VOTED to open.

Motion by Councilor David J. Place. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

VOTED to support S 2106.

Motion by Councilor David J. Place. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

B. 2014 – S 2107, An Act Relating to Labor Relations – Municipal Employees' Arbitration – Obligation to Bargain.

VOTED to support.

Motion by Councilor Wallace F. Lees. Seconded by Councilor David J.

Place. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

C. 2014 – S 2280, An Act Relating to Health and Safety – State Building Code, §23-27.3-119.0 Fee Computation; and

F. 2014 – H 7635, An Act Relating to Health and Safety – State Building Code, §23-27.3-108.1.1 Applications and permits; and

G. 2014 – H 7560, An Act Relating to Health and Safety – Taxation – Impact Fees.

VOTED to open.

Motion by Councilor Wallace F. Lees. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

Joseph Raymond, Building Official, commented on bills 2014 – S 2280, S 7635 and H 7560. Michael C. Wood, Town Manager, noted that these bills were before the Town Council at the request of the Rhode Island League of Cities and Towns, which opposes each of the bills.

VOTED to deny support of S 2280, An Act Relating to Health and

Safety – State Building Code, §23-27.3-119.0 Fee Computation; and H 7635, An Act Relating to Health and Safety – State Building Code §23-27.3-108.1.1 Applications and permits; and H 7560, An Act Relating to Health and Safety – Taxation – Impact Fees.

Motion by Councilor Wallace F. Lees. Seconded by Councilor David J. Place. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

D. 2014 – S 2290, An Act Relating to Labor – Apprenticeship

VOTED to oppose.

Motion by Councilor David J. Place. Seconded by Councilor Kimberly Brissette Brown. The motion carried, six in favor, one opposed. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilor Edward J. Blanchard voted in opposition.

E. 2014 – S 2677, An Act Relating to Taxation – Levy and Assessment of Local Taxes

VOTED to oppose.

Motion by Councilor David J. Place. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

14-074 Correspondence from Francis P. DiGregorio of Exeter regarding his request for a resolution in support of 2014 – S 2034 and 2014 H 7593, Resolutions to Approve and Publish and Submit to the Electors a Proposition of Amendment to the Constitution of the State (Ethics Commission)

VOTED to support.

Motion by Councilor David J. Place. Seconded by Councilor Nancy F. Binns. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

14-075 Request from the South Kingstown School Committee for support of their Resolutions relative to:

A. Bus Monitors

B. Group Home Aid

C. Layoff Notification Date

D. Contract Continuation

VOTED to support.

Motion by Councilor Wallace F. Lees. Seconded by Councilor David J. Place. The motion carried, six in favor, one opposed. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilor Edward J. Blanchard voted in opposition.

14-076 Consider and act on other legislation of interest to the town which is pending before the general assembly.

VOTED to oppose Senate Bill 2014 – S 2161; An Act Relating to Labor and Labor Relations – Workers' Compensation – Medical Services.

Motion by Councilor David J. Place. Seconded by Councilor Wallace F. Lees. The motion carried, six in favor, one opposed. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilor Edward J. Blanchard voted in opposition.

10. Town Clerk/Communication:

14-077 VOTED to receive and file the correspondence from The Samaritans of Rhode Island acknowledging support from the Town of Burrillville.

Motion by Councilor David J. Place. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

11. VOTED to receive reports #1 – 26, as follows:

- 1. Town Treasurer: Reports of January and February 2014**
- 2. Burrillville Sewer Commission: No reports**
- 3. Tax Collector: Report of February 2014**
- 4. Department of Public Works: No report**
- 5. Chief of Police: Report of February 2014**
- 6. Office of Building Official: Report of February 2014**
- 7. Animal Control Officer: Reports of February 2014**
- 8. Parks and Recreation Department: No report**
- 9. Burrillville Extended Care: Report of January and February 2014**
- 10. Emergency Management Agency: No report**
- 11. Information Systems Department: Report of March 2014**
- 12. Burrillville Housing Authority: Meetings of February 12 & 19, 2014**
- 13. Planning Board/Town Planner: No report**
- 14. Burrillville Conservation Commission: No report**

- 15. Recreation Commission: Meeting of January 13, 2014**
- 16. Ordinance Subcommittee: No reports**
- 17. Redevelopment Agency: Meeting of January 28, 2014**
- 18. B-PAC: No report**
- 19. Personnel Board: No report**
- 20. Screening Subcommittee: Meeting of February 12, 2014**
- 21. Budget Board: Meetings of January 23 & 30 and February 6, 18, 20 & 27, 2014**
- 22. Burrillville School Committee: No report**
- 23. Rubbish & Recycling Committee: No report**
- 24. Board of Canvassers: Meeting of September 24, 2013**
- 25. Juvenile Hearing Board: No report**
- 26. Burrillville Extended Care Board of Directors: No report**

Motion by Councilor David J. Place. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

12. Additional New Business:

14-078 VOTED to grant the request for executive session from Michael C. Wood, Town Manager, pursuant to Rhode Island Open Meetings Law §42-46-5(a)(2) for discussion and action relative to litigation: TransCanada; and §42-46-5(a)(2) for discussion and action

pertaining to collective bargaining: Council 94, Local 186

Motion by Councilor Wallace F. Lees. Seconded by Councilor David J. Place. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

There was a recess before executive session.

The Council returned to open session at 9:37 P.M.

VOTED to seal the minutes of executive session noting that no votes had been taken.

Motion by Councilor Wallace F. Lees. Seconded by Councilor David J. Place. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson.

13. VOTED to adjourn at 9:37 P.M.

Motion by Councilor David J. Place. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees,

**Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III,
David J. Place and Stephen N. Rawson.**

The meeting was recorded.

Louise R. Phaneuf, Town Clerk